2001 DRAFTING REQUEST

Senate Amendment (SA-SB316)

Receive	ed: 01/16/2002				Received By: jkr	eye			
Wanted: Today					Identical to LRB:				
For: Kimberly Plache (608) 266-1832					By/Representing:	John			
This file	e may be showr	to any legislat	tor: NO	,	Drafter: jkreye				
May Contact:					Addl. Drafters:				
Subject	Tax Cr	edits - miscella	aneous		Extra Copies:				
Submit	via email: YES	· .							
Request	er's email:	Sen.Plach	e@legis.state	e.wi.us					
Carbon	copy (CC:) to:	V.	(
Pre To	pic:								
No spec	ific pre topic gi	ven							
Topic:			· ·						
Historic	rehabilitation t	ax credit							
Instruc	tions:								
See Atta	iched								
Draftin	g History:								
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	<u>Submitted</u>	<u>Jacketed</u>	Required		
/?	jkreye 01/16/2002	gilfokm 01/16/2002				7			
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/2	jkreye	gilfokm	pgreensl		lrb_docadmin	lrb_docadn	iin		

01/23/2002 02:32:18 PM Page 2

Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	Required
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FE Sent For:

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2001 DRAFTING REQUEST

Senate Amendment (SA-SB316)

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Received: 01/16/2002					Received By: jkreye				
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Subject:	Tax Cro	edits - miscella	neous		Extra Copies:				
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Requeste	er's email:	Sen.Plache	@legis.stat	e.wi.us					
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Pre Top	oic:					***			
No speci	ific pre topic gi	ven							
Topic:									
Historic	rehabilitation t	ax credit							
Instruct	tions:								
See Atta	ched								
Draftin	g History:				•				
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FE Sent For:

<END>

2001 DRAFTING REQUEST

Senate Amendment (SA-SB316)

Received: 01/16/2002

Received By: jkreve

Wanted: Today

Identical to LRB:

For: Kimberly Plache (608) 266-1832

By/Representing: John

This file may be shown to any legislator: NO

Drafter: jkreve

May Contact:

Addl. Drafters:

Subject:

Tax Credits - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Plache@legis.state.wi.us

Requested

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Historic rehabilitation tax credit

Instructions:

See Attached

Drafting History:

Vers. **Drafted** Reviewed <u>Typed</u> **Proofed** **Submitted**

Jacketed

Required

/?

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· 01/17/2002 08:49:41 AM Page 2

FE Sent For:

<END>

2001 DRAFTING REQUEST

Senate Amendment (SA-SB316)

Received: 01/16/2002 Wanted: Today For: Kimberly Plache (608) 266-1832 This file may be shown to any legislator: NO May Contact: Subject: Tax Credits - miscellaneous					Received By: jkreye Identical to LRB: By/Representing: John Drafter: jkreye Addl. Drafters: Extra Copies:											
									Submit	via email: NO						
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									Topic:		-					
									Historic	rehabilitation t	ax credit					
Instruc	tions:															
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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required									
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2001 DRAFTING REQUEST

Received: 01/16/2002 Received By: jkreye

Wanted: Today Identical to LRB:

For: Kimberly Plache (608) 266-1832 By/Representing: John

This file may be shown to any legislator: NO Drafter: jkreye

May Contact: Addl. Drafters:

Subject: Tax Credits - miscellaneous Extra Copies:

Submit via email: NO

Pre Topic:

Topic:

No specific pre topic given

Historic rehabilitation tax credit

jkreye

See Attached **Drafting History:**

Instructions:

Vers. **Drafted** Reviewed **Typed Proofed** Submitted

Jacketed Required /?

FE Sent For:

Kreye, Joseph

From:

Anderson, John

Sent:

Wednesday, January 16, 2002 3:52 PM

To:

Richard, Rob; Kreye, Joseph

Subject:

RE:

Joe: As Rob predicted, Sen. Plache has the same request for LRBa1092/1 (timing issue) "Any credit claimed for Wisconsin purposes would be claimed at the same time as for federal purposes."

LRBa1089, we need to make this clear that S corporations language is not changed at all.

PLUS, we would like all four of our amendments 1089, 1090, 1091, 1092, to be incorporated into one super simple amendment. Not sure if the Rep. Freese wants this, so I apologize for the additional work.

Please call me with any questions.

Thank you.

John

-----Original Message-----

From: Richard, Rob

Sent: Wednesday, January 16, 2002 3:32 PM

To: Kreye, Joseph Cc: Anderson, John

Subject:

Joe:

You will receive a similar request from Plache's office. Freese needs changes on amendments 1060/1 and 1063/1. I realize you might be very busy, but we'd greatly appreciate these changes before tomorrow's hearing and exec.

On 1060/1 - the wording on page 1, line 4-5, 8-9 and page 2, line 1-2, needs to be changed to "Any credit claimed for Wisconsin purposes would be claimed at the same time as for federal purposes."

On 1063/1 - we need to maintain the current law status for tax-option corporations, but give the flexibility to LLC and members. For example, on lines 8-12 on page 1, you crossed out some language that I believe causes the opposite of what we want to accomplish. Do you see what I mean?

Please call if you have questions. Thank you!

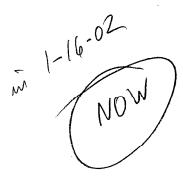
Rob Richard Freese Office 6-7502

2001 - 2002 LEGISLATURE

01/105/1 LRBa1089/1 JK:hmah:jf

Kn

SENATE AMENDMENT, TO 2001 SENATE BILL 316



INSERT V

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At the locations indicated, amend the bill as follows:

page 3, line 3, and substitute:

"71.07 (9m) (f) A partnership, limited liability company, or tax-option corporation may not claim the credit under this subsection. The individual partners of a partnership, members in of a limited liability company, or shareholders in a tax-option corporation may claim the credit under this subsection based on eligible costs incurred by the partnership, company, or tax-option corporation, in proportion to the ownership interest of each partner, member or shareholder. The partnership, limited liability company of Atax-option corporation shall calculate the amount of the credit which may be claimed by each partner, member or shareholder and shall provide that information to the partner, member or shareholder. Credits computed by a partnership or limited liability company shall be allocated to partners or

1. Page 2, line 8: delete the material beginning with that line and ending with

members as provided in a written agreement among the partners or members that 1 $\mathbf{2}$ is entered into no later than the last day of the taxable year of the partnership or 3 limited liability company. Any partner or member who claims the credit as provided 4 under this subsection shall attach a copy of the agreement to the tax return on which (5)the credit is claimed.". MJERT $\mathbf{\hat{2}}$. Page 3, line 11: delete lines 11 to 24 and substitute: 6 7 "71.28 **(6)** (f) A partnership, limited liability company, or tax-option corporation may not claim the credit under this subsection. The individual partners 8 9 of a partnership, members in of a limited liability company, or shareholders in a 10 tax-option corporation may claim the credit under this subsection based on eligible costs incurred by the partnership, company, or tax-option corporation, in proportion 11 12to the ownership interest of each partner, member or shareholder. The partnership, 13 limited liability company Atax-option corporation shall calculate the amount of 14 the credit which may be claimed by each partner, member or shareholder and shall 15 provide that information to the partner, member or shareholder. Credits computed 16 by a partnership or limited liability company shall be allocated to partners or 17 members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or 18 19 limited liability company. Any partner or member who claims the credit as provided under this subsection shall attach a copy of the agreement to the tax return on which 20 21 the credit is claimed/.". 22 **3.** Page 4, line 7: delete lines 7 to 20 and substitute: 23 A partnership, limited liability company, or tax-option "71.47 **(6)** (f) corporation may not claim the credit under this subsection. The individual partners 24

of a partnership, members in of a limited liability company, or shareholders in a tax-option corporation may claim the credit under this subsection based on eligible costs incurred by the partnership, company, or tax-option corporation, in proportion to the ownership interest of each partner, member or shareholder. The partnership, limited liability company of Atax-option corporation shall calculate the amount of the credit which may be claimed by each partner, member or shareholder and shall provide that information to the partner, member or shareholder. Credits computed by a partnership or limited liability company shall be allocated to partners or members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or limited liability company. Any partner or member who claims the credit as provided under this subsection shall attach a copy of the agreement to the tax return on which the credit is claimed."

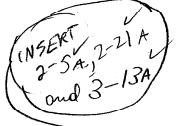
(END)

insert 3-13B 3-13A

SENATE AMENDMENT,

TO 2001 SENATE BILL 316

Inserts to allo5/



At the locations indicated, amend the bill as follows:

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17 Page 3, line 3 delete that line and substitute "attach a copy of the agreement to the tax return on which the credit is claimed. A person claiming the credit as provided under this paragraph is solely responsible for any tax liability arising from a dispute with the department of revenue related to claiming the credit.

- 2. Page 3, line 24: delete that line and substitute "attach a copy of the agreement to the tax return on which the credit is claimed. A person claiming the credit as provided under this paragraph is solely responsible for any tax liability arising from a dispute with the department of revenue related to claiming the credit.".
- 3. Page 4, line 20: delete that line and substitute "attach a copy of the agreement to the tax return on which the credit is claimed. A person claiming the credit as provided under this paragraph is solely responsible for any tax liability

arising from a dispute with the department of revenue related to claiming the credit.".

(END)

2001 – 2002 LEGISLATURE LRBa1092/1 JK:hmh:ch
SENATE AMENDMENT,
TO 2001 SENATE BILL 316
SENATE AMENDMENT, TO 2001 SENATE BILL 316 Output was the proposition of the proposition
1 At the locations indicated, amend the bill as follows:
2 1. Page 2, line 6: after that line insert: 3 "Section 1m. 71.07 (9m) (cm) of the statutes is created to read:
71.07 (9m) (cm) We person may claim the eredit under this subsection before
5) the schabilitated property is placed in service.".
6 Page 3, line 9: after that line insert:
"Section 3m. 71.28 (6) (cm) of the statutes is created to read:
(8) 71.28 (6) (cm) We person may claim the credit under this subsection before the
9 chabilitated property is placed in solving.
10 Rage 4, line 5: after that line insert:
"SECTION 5m. 71.47 (6) (cm) of the statutes is created to read:
1NSERT 2-21B

71.47 (6) (cm) No person may claim the credit under this subsection before the

2 (rehabilitated properly is placed in straight).

(END)

(END)

any credit claimed under this subsection for

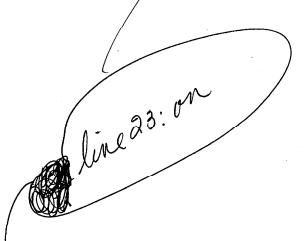
Wisconsin supposes shall be claimed at the

same time as for festeral surgores

(NSERT

2-21B

SENATE AMENOMENT,
TO 2001 SENATE BILL 316



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At the locations indicated, amend the bill as follows:

2

 $\overline{\mathbf{A}}$. Page 4, lines 23 and 24 ϕ delete "2001" and substitute "2002".

3

(END)

INSERT 3-13B

Barman, Mike

From: Sent:

Barman, Mike Thursday, January 17, 2002 8:51 AM Sen.Plache LRBa1105/1 (attached - requested by John)

To: Subject:



Kreye, Joseph

drange a 1/05

From:

Richard, Rob

Sent:

Thursday, January 17, 2002 8:45 AM

To:

Kreye, Joseph

Subject:

FW: LRBa1103/1 & LRBa1104/1 (attached - per your request)

Joe:

Please make the change that Ray suggest below. The same will have to be made for the Senate version. Thank you!

----Original Message----

From: Carey, Raymond R. (Madison) [mailto:RCarey@foleylaw.com]

Sent: Wednesday, January 16, 2002 5:52 PM

To: 'Richard, Rob'

Subject: RE: LRBa1103/1 & LRBa1104/1 (attached - per your request)

Rob, we need to narrow the application of current law only to shareholders

of tax-option corporations, while changing the law for partnerships and LLCs. The way the amendment is drafted right now, it says that partnerships

and LLCs may claim the credit based on in proportion to ownership interest

(which is current law) and is not what we want. I suggest trying the following approach:

on page one, line 8, place a period after the word "corporation." The insert the following language: "For shareholders of a tax-option corporation

the credit may be allocated" (and it would continue, as drafted, "in proportion to the ownership interest of each"). Then on line 9, strike the

words "partner" and "member" (leaving "shareholder"). With that change it

narrows the application of current law, with respect to credit allocation,

only to shareholders of tax-option corporations.

These changes would have to be repeated in the other sections of the amendment, of course.

The other amendment concerning the timing of the credit looks good.

Please call with questions. The drafting attorney may also call me (tomorrow I'll be on my cell phone at 220-6461).

Raymond R. Carey Foley & Lardner 150 East Gilman Street Madison, WI 53703 608.258.4778 608.258.4258 fax

----Original Message----

From: Richard, Rob [mailto:Rob.Richard@legis.state.wi.us]

Sent: Wednesday, January 16, 2002 5:22 PM To: 'rcarey@foleylaw.com'; Ourada, Thomas D

Subject: FW: LRBa1103/1 & LRBa1104/1 (attached - per your request)

Here are the new amendments. I gave them to Sykora for tomorrow. If you have any changes, I need to know ASAP. Rob

> ----Original Message---> From: Barman, Mike
> Sent: Wednesday, January 16, 2002 4:47 PM
> To: Rep.Freese
> Subject: LRBal103/1 & LRBal104/1 (attached - per your request)
> <<01al103/1>> <<01al104/1>>



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State of Misconsin 2001 - 2002 LEGISLATURE

SENATE AMENDMENT, TO 2001 SENATE BILL 316

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At the locations indicated, amend the bill as follows:

1. Page 2, line 6: after that line insert:

"Section 1m. 71.07 (9m) (cm) of the statutes is created to read:

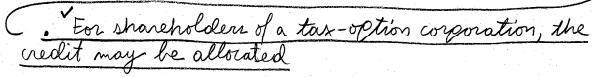
71.07 (9m) (cm) Any credit claimed under this subsection for Wisconsin purposes shall be claimed at the same time as for federal purposes.".

2. Page 2, line 8: delete the material beginning with that line and ending with page 3, line 3, and substitute:

"71.07 (9m) (f) A partnership, limited liability company, or tax-option corporation may not claim the credit under this subsection. The individual partners of a partnership, members in of a limited liability company, or shareholders in a tax-option corporation may claim the credit under this subsection based on eligible costs incurred by the partnership, company, or tax-option corporation, in proportion to the ownership interest of each partner, member or shareholder. The partnership,

limited liability company, or tax-option corporation shall calculate the amount of the credit which may be claimed by each partner, member, or shareholder and shall provide that information to the partner, member, or shareholder. Credits computed by a partnership or limited liability company shall be allocated to partners or members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or limited liability company. Any partner or member who claims the credit as provided under this subsection shall attach a copy of the agreement to the tax return on which the credit is claimed. A person claiming the credit as provided under this paragraph is solely responsible for any tax liability arising from a dispute with the department of revenue related to claiming the credit."

- 3. Page 3, line 9: after that line insert:
- "Section 3m. 71.28 (6) (cm) of the statutes is created to read:
 - 71.28 (6) (cm) Any credit claimed under this subsection for Wisconsin purposes shall be claimed at the same time as for federal purposes.".
 - **4.** Page 3, line 11: delete lines 11 to 24 and substitute:
 - "71.28 (6) (f) A partnership, limited liability company, or tax-option corporation may not claim the credit under this subsection. The individual partners of a partnership, members in of a limited liability company, or shareholders in a tax-option corporation may claim the credit under this subsection based on eligible costs incurred by the partnership, company, or tax-option corporation, in proportion to the ownership interest of each partner, members or shareholder. The partnership, limited liability company, or tax-option corporation shall calculate the amount of the credit which may be claimed by each partner, member, or shareholder and shall



by a partnership or limited liability company shall be allocated to partners or members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or limited liability company. Any partner or member who claims the credit as provided under this subsection shall attach a copy of the agreement to the tax return on which the credit is claimed. A person claiming the credit as provided under this paragraph is solely responsible for any tax liability arising from a dispute with the department of revenue related to claiming the credit.".

- **5.** Page 4, line 5: after that line insert:
- 11 "Section 5m. 71.47 (6) (cm) of the statutes is created to read:
 - 71.47 (6) (cm) Any credit claimed under this subsection for Wisconsin purposes shall be claimed at the same time as for federal purposes.".
 - **6.** Page 4, line 7: delete lines 7 to 20 and substitute:
 - "71.47 (6) (f) A partnership, limited liability company, or tax-option corporation may not claim the credit under this subsection. The individual partners of a partnership, members in of a limited liability company, or shareholders in a tax-option corporation may claim the credit under this subsection based on eligible costs incurred by the partnership, company, or tax-option corporation; in proportion to the ownership interest of each partner, member or shareholder. The partnership, limited liability company, or tax-option corporation shall calculate the amount of the credit which may be claimed by each partner, member, or shareholder and shall provide that information to the partner, member, or shareholder. Credits computed by a partnership or limited liability company shall be allocated to partners or

· For shareholders of a tax-option corporation, the credit may be allocated

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members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or limited liability company. Any partner or member who claims the credit as provided under this subsection shall attach a copy of the agreement to the tax return on which the credit is claimed. A person claiming the credit as provided under this paragraph is solely responsible for any tax liability arising from a dispute with the department of revenue related to claiming the credit."

7. Page 4, line 23: on lines 23 and 24, delete "2001" and substitute "2002".

(END)

Kreye, Joseph

From: Sent:

Anderson, John Tuesday, January 22, 2002 4:12 PM Kreye, Joseph changes for LRBa1105/2

To:

Subject:

Joe, would you please incorporate the DOR's suggestion into LRBa1105/2. Thank you.

John



SB316amendlang_. doc

DOR comments on LRB 1105/2

1/18/02

Allocation of Credits:

LRB a1105/2 is more complex and restrictive than DOR would like to see. Under the amendment, s-corporation shareholders may claim the credit in proportion to ownership interests; LLC and partnerships may not, unless they so specify by contract (agreement) and include a copy of the agreement with their tax return. Requiring these companies to submit the agreement whether or not they are making a different allocation is unnecessary paperwork for both the company and the Department.

DOR would prefer that companies be required to submit agreements only if they are making a special allocation. The Department believes that, even with this law change, most businesses will continue to allocate credits in proportion to ownership interests. Those companies would still be required to send copies of their agreements to the Department.

DOR recommends as an alternative that section 71.07 (9m)(f) be amended as follows:

- (1) _71.07(9m)(f) A partnership, limited liability company or tax-option corporation may not claim the credit under this subsection. The individual-partners in a partnership, members in of a limited liability company or shareholders in a tax-option corporation may claim the credit under this subsection based on eligible costs incurred by the partnership, company or tax-option corporation, in proportion to the ownership interest of each partner, member or shareholder. The partnership, limited liability company or tax-option corporation shall calculate the amount of the credit which may be claimed by each partner, member or shareholder and shall provide that information to the partner, member or shareholder.
- (2) Notwithstanding subparagraph (1), credits computed by a partnership or limited liability company may be allocated to partners or members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or limited liability company. Any partner or member who claims the credit under this subparagraph, shall attach a copy of the agreement to the tax return on which the credit is claimed and shall be solely responsible for any tax liability arising from a dispute with the department of revenue related to claiming the credit.

Note that DOR recommends substituting the word "may" for "shall" in paragraph (2) above regarding allocation because not all partnerships have written agreements and DOR believes that it would be a burden to require those that don't to enter into agreements.

Kreye, Joseph

From:

Anderson, John

Sent:

Tuesday, January 22, 2002 4:18 PM

To:

Kreye, Joseph

Subject:

RE: changes for LRBa1105/2

I'll send back the stripes. Thank you.

----Original Message-----

From: Kreye, Joseph Sent: Tuesday, January 22, 2002 4:17 PM

To:

Anderson, John

Subject:

RE: changes for LRBa1105/2

John,

Do you want me to redraft LRBa1105/2 to incorporate the changes (in which case I need the stripes back) or should I prepare a new amendment (new LRB number) that will incorporate the change?

Joseph T. Kreye

Legislative Attorney Legislative Reference Bureau (608) 266-2263

----Original Message-

Anderson, John

Sent:

Tuesday, January 22, 2002 4:12 PM

To: Kreye, Joseph

Subject:

changes for LRBa1105/2

Joe, would you please incorporate the DOR's suggestion into LRBa1105/2. Thank you.

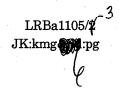
John

File: SB316amendlang .doc >>

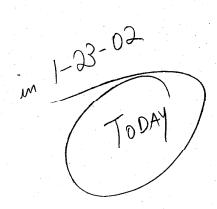


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State of Misconsin 2001 - 2002 LEGISLATURE



SENATE AMENDMENT, TO 2001 SENATE BILL 316



At the locations indicated, amend the bill as follows:

5B316 in attached

Page 2, line 6: after that line insert: 2 3 "Section 1m. 71.07 (9m) (cm) of the statutes is created to read: 4 71.07 (9m) (cm) Any credit claimed under this subsection for Wisconsin 5 purposes shall be claimed at the same time as for federal purposes." 2. Page 2, line 8: delete the material beginning with that line and ending with (6)page 3, line 3, and substitute: Section 25: 71.07 (9m) (f) in renumbered 71.07 (9m) (f) 1. and amended to read: 7 (9m) (f)/A partnership, limited liability company, or tax-option 8 9 corporation may not claim the credit under this subsection. The individual partners 10 of a partnership, members in of a limited liability company, or shareholders in a 11 tax-option corporation may claim the credit under this subsection based on eligible 12 costs incurred by the partnership, company, or tax-option corporation

shareholders of a tax-option corporation, the credit may be allocated in proportion

	2001 – 2002 Legislature LRBa1105/2 JK:kmg&jld:pg
	JK:kmg&jld:pg The ZMD (1,01(9M)) The ZMD (1,01(9M))
(1)	to the ownership interest of each partner, member or shareholder. The partnership,
2	limited liability company, or tax-option corporation shall calculate the amount of the
$\frac{3}{2}$	credit which may be claimed by each partner, member, or shareholder and shall
4	provide that information to the partner, member, or shareholder.
LE .	by a partnership or limited liability company shally be allocated to partners or
6	members as provided in a written agreement among the partners or members that
7	is entered into no later than the last day of the taxable year of the partnership or
8	limited liability company. Any partner or member who claims the credit as provided
9	under this subsection shall attach a copy of the agreement to the tax return on which
(10)	the credit is claimed the person claiming the credit as provided under this paragraph
(11)	solely responsible for any tax liability arising from a dispute with the department
12	of revenue related to claiming the credity". (A71.07) Notwithito. Di
13	3. Page 3, line 9: after that line insert. (A71.07) Notwithstanding mbd. (1)
14	"Section 3m. 71.28 (6) (cm) of the statutes is created to read:
15	71.28 (6) (cm) Any credit claimed under this subsection for Wisconsin purposes
16	shall be claimed at the same time as for federal purposes.".
17)	71.28 (6) (cm) Any credit claimed under this subsection for Wisconsin purposes shall be claimed at the same time as for federal purposes.". 4. Page 3, line 11: delete lines 14 to 24 and substitute: 7/.28 (6) (f) in renumbered (71.28 (6) (f) (A partnership limited liability company on toward and an ended)
18	71.28 (6) (f) A partnership, limited liability company, or tax-option
19	corporation may not claim the credit under this subsection. The individual partners
20	of a partnership, members in of a limited liability company, or shareholders in a
21	tax-option corporation may claim the credit under this subsection based on eligible
22 23	costs incurred by the partnership, company, or tax-option corporation For
23/	shareholders of a tax-option corporation, the credit may be allocated in proportion
24) 9	to the ownership interest of each partner, member or shareholder. The partnership,
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limited liability company, or tax-option corporation shall calculate the amount of the 1 credit which may be claimed by each partner, member, or shareholder and shall 2 provide that information to the partner, member, or shareholder. @redits computed by a partnership or limited liability company shall be allocated to partners or members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or limited liability company. Any partner or member who claims the credit as provided 7 under this subjection shall attach a copy of the agreement to the tax return on which the credit is claimed Aperson claiming the credit as provided under this paragraph 9 (10) solely responsible for any tax liability arising from a dispute with the department of revenue related to claiming the credit.". 11 $\sqrt{5}$. Page 4, line 5: after that line insert: 12 **"Section 5m.** 71.47 (6) (cm) of the statutes is created to read: 13 71.47 (6) (cm) Any credit claimed under this subsection for Wisconsin purposes 14 shall be claimed at the same time as for federal purposes.". 15 6. Page 4, line 7: delete lines 7 to 20 and substitute: 7/47(6)(4) / a 16 A partnership, limited liability company, or tax-option corporation may not claim the credit under this subsection. The individual partners 18 19 of a partnership, members in of a limited liability company, or shareholders in a tax-option corporation may claim the credit under this subsection based on eligible 20 21 costs incurred by the partnership, company, or tax-option corporation shareholders of a tax-option corporation, the credit may be allocated in proportion to the ownership interest of each partner, member or shareholder. The partnership, limited liability company or tax-option corporation shall calculate the amount of the 24

provide that information to the partner, member, or shareholder and shall provide that information to the partner, member, or shareholder. Predits computed by a partnership or limited liability company was be allocated to partners or members as provided in a written agreement among the partners or members that is entered into no later than the last day of the taxable year of the partnership or limited liability company. Any partner or member who claims the credit as provided under this subscription shall attach a copy of the agreement to the tax return on which the credit is claimed Appropriationally arising from a dispute with the department of revenue related to claiming the credit."

√ 7. Page 4, line 23: on lines 23 and 24, delete "2001" and substitute "2002".

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Notwithstanding suld. 1.,